

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KURQE LOVE,

Petitioner,

v.

Case No. 1:18-cv-11893
Honorable Thomas L. Ludington

SHERMAN CAMPBELL,

Respondent.

**OPINION AND ORDER DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS
WITHOUT PREJUDICE AND DENYING A CERTIFICATE OF APPEALABILITY**

On June 14, 2018, Kurqe Love filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner did not pay the required filing fee when he filed his petition, nor did he submit an application to proceed in forma pauperis (“IFP application”). *See* 28 U.S.C. § 1914(a); 28 U.S.C. § 1915; Rule 3 of the Rules Governing § 2254 Cases. The Court issued an Order to Correct Deficiency on June 21, 2018, and then another on June 25, 2018, requiring Petitioner to either pay the filing fee or submit a properly completed IFP application. ECF No. 2, 3. The second order provided that if Petitioner did not submit the fee or IFP application within 21 days (July 16, 2018), his case could be dismissed.

The time for submitting the filing fee or an IFP application has elapsed and Petitioner did not correct the deficiency. For this reason, Petitioner’s petition for a writ of habeas corpus will be dismissed without prejudice. Furthermore, a certificate of appealability will be denied because the disposition of the case is not reasonably debatable. *See* 28 U.S.C. § 2253(c)(1)(A); Fed. R. App. P. 22(b). If Petitioner still wishes to pursue habeas relief, he may submit a new habeas petition with payment of the filing fee or an IFP application.

Accordingly, it is hereby ordered that Petitioner's petition for a writ of habeas corpus, ECF No. 1, is **DISMISSED WITHOUT PREJUDICE**.

Furthermore, it is ordered that a certificate of appealability is **DENIED**.

Dated: January 3, 2019

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 3, 2019.

s/Kelly Winslow
KELLY WINSLOW, Case Manager